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*Counsel for Defendant  
 MarinHealth Medical Center*

**UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA**

C.M., individually, and on behalf of all others  
 similarly situated,

Plaintiff,

vs.

MARINHEALTH MEDICAL CENTER,

Defendant.

Case No.: 3:23-cv-04179-WHO

**JOINT STATUS REPORT**

**Hearing Information:**

Date: May 14, 2024  
 Time: 2:00 p.m.  
 Place: Videoconference  
 Hon. William H. Orrick

Complaint Filed: August 16, 2023  
 FAC Filed March 21, 2024

1 Plaintiff C.M. (“**Plaintiff**”) and Defendant MarinHealth Medical Center (“**Defendant**”)  
2 (collectively, the “**Parties**”), hereby submit this Joint Status Report as directed by the Honorable  
3 William H. Orrick in his December 12, 2023, Further Case Management Conference Order, and  
4 state as follows:

5 On March 21, 2024, Plaintiff filed his First Amended Complaint (“**FAC**”) to name the  
6 correct entity, Marin Health Medical Center and re-served his first set of amended Interrogatories  
7 and Requests for Production of Documents (“**Discovery Requests**” or “**Request**”) on the correct  
8 entity. Plaintiff anticipates serving a notice of deposition on Defendant’s Corporate Designee  
9 pursuant to Fed. R. Civ. P. 30(b)(6) in the near future. On April 11, 2024, Defendant filed its Answer  
10 to Plaintiff’s FAC (“**Answer**”).

11 Following the filing of Defendant’s Answer, the Parties engaged in settlement discussions  
12 aiming for the potential resolution of this case. The Parties met and conferred extensively regarding  
13 the possibility of mediating the case and sought to secure a date for mediation in June or July 2024.  
14 As the parties were in the process of scheduling mediation, another case was filed in the Marin  
15 County Superior Court, *John Doe I, et al. vs. Marin Health Medical Center*, Case No. CV0002218,  
16 filed on March 7, 2024 (“**Related Case**”). The Related Case, filed seven months after the initial  
17 complaint was filed in this case, raises similar class claims but seeks only a class of California  
18 residents. Defendant moved to stay the Related Case on May 3, 2024, pending final resolution of  
19 this matter.

20 **Plaintiff:** Though Defendant has indicated that it is not willing to set a mediation date while  
21 the Related Case remains active in state court, Plaintiff believes that the Parties can proceed to  
22 mediation, notwithstanding Defendant’s efforts to stay the Related Case, given that this case is the  
23 first filed action by seven months, asserts a broader class, and has advanced substantially further  
24 than the Related Case. Plaintiff also believes that the Parties should proceed to a mediation in June  
25 (as originally planned) or July, instead of September to avoid spending the Parties’ efforts on  
26 litigation and discovery disputes as opposed to the mediation. Moreover, the longer the Parties wait,  
27 the more likely it is that additional related cases may be filed.  
28

**Defendant:** Defendant has explained to Plaintiff that Defendant remains willing to participate in mediation, but that in light of the Related Case, Defendant suggested it is in all parties' best interests to have this case and the Related Case mediated together, in front of Jill Sperber, whom both Defendant and Plaintiff agree is a mutually agreeable mediator for this case. With no mediation order and no pending deadline for completion of voluntary ADR, Defendant believes that the Parties in this case and Plaintiff in the Related Case could be in position for a global mediation as early as September of this year.

Defendant also anticipates noticing Plaintiff's deposition on a mutually agreeable date in the near future to correspond with any Rule 30(b)(6) deposition that occurs.

DATED: May 7, 2024

**CLARKSON LAW FIRM, P.C.**

By: /s/ Yana Hart  
 Ryan J. Clarkson, Esq.  
 Yana Hart, Esq.  
 Tiara Avanness, Esq.

DATED: May 7, 2024

**ALMEIDA LAW GROUP LLC**

By: /s/ John R. Parker, Jr.  
 John R. Parker, Jr., Esq.  
  
*Counsel for Plaintiff and  
 the Proposed Classes*

DATED: May 7, 2024

**CONSTANGY, BROOKS, SMITH &  
 PROPHETE, LLP**

By: /s/ David A. Yudelson  
 David A. Yudelson, Esq.  
 Sydney M. Wright, Esq.  
  
*Counsel for Defendant*

**ATTESTATION UNDER LOCAL RULE 5-1(i)(3)**

Pursuant to Civil Local Rule 5-1(i)(3), the undersigned filer hereby attests that all signatories listed, and on whose behalf the filing is submitted, concur in the filing's content, and have authorized the filing.

Dated: May 7, 2024

**CLARKSON LAW FIRM, P.C.**

/s/ Yana Hart

By: Yana Hart, Esq.

*Counsel for Plaintiff and the  
Proposed Classes*